

Report Date: February 27, 2013

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MAR 01 2013

SEAN F. McAVOY, CLERK
DEPUTY
YAKIMA, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Travis Shane Barnes

Case Number: 2:10CR02124-001

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, U.S. District Judge

Date of Original Sentence: 9/20/2001

Original Offense: Conspiracy to Distribute a Controlled Substance, 21 U.S.C. §§ 841(b)(1)(A) and 846

Original Sentence: Prison - 84 Months
TSR - 60 Months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: TBD

Date Supervision Commenced: 4/6/2012

Defense Attorney: Rick Lee Hoffman

Date Supervision Expires: 4/5/2013

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

1

Mandatory Condition # 2: The defendant shall not commit another Federal, state, or local crime.**Supporting Evidence:** Mr. Barnes was arrested and charged with obstruct law enforcement officer, Yakima Municipal Court cause number H00022769 on February 11, 2013.

According to the Yakima Police Department narrative report, on February 11, 2013, at approximately 9:45 p.m., officers were dispatched to Queen Avenue, Yakima, Washington, for a suspicious circumstances call. The police report indicated there had been criminal activity associated with this address from wanted people and property crimes.

While the officers were walking to this address, a truck pulled into the driveway. Two male subjects stepped out of the truck and were walking towards the front door. The officers contacted the two males and asked who they were there to see. One male, later identified as Travis Barnes, said he would not tell them who he was there to see or tell them his name. Mr. Barnes started walking to the front door, where one of the officers was standing. Mr. Barnes stated it was private property and he had permission to be at the residence. An officer told Mr. Barnes he had to wait because he (the officer) was going to contact the

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residence's owners. The officer told Mr. Barnes to step back for officer safety, but Mr. Barnes only moved back about 5 feet. The officer directed Mr. Barnes to move to the street so he could make his contact safely. The other male had already moved to the street. Mr. Barnes was told that if he did not step away he would arrest him for obstruction. Mr. Barnes refused to move and told the officer to arrest him. At this point Mr. Barnes had taken a bladed stance to the officer and appeared that he might fight. The officer placed Mr. Barnes under arrest for obstruction.

Mr. Barnes was subsequently booked at the Yakima City Jail for obstruction. On February 13, 2013, Mr. Barnes posted a \$500 bond. The defendant's next court hearing is set for March 5, 2013.

- 2 **Standard Condition # 11:** The defendant shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer.

Supporting Evidence: Mr. Barnes failed to report law enforcement contact within 72 hours of being arrested for obstructing law enforcement officer on February 11, 2013.

On February 21, 2013, a records check was conducted which revealed Mr. Barnes had been arrested on the above charge. Mr. Barnes had previously reported to the U.S. Probation Office on February 15, 2013, at which time he had the opportunity report this incident. Mr. Barnes has yet to report law enforcement contact.

- 3 **Special Condition # 16:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. Barnes tested positive for amphetamine and methamphetamine on February 15, 2013.

On February 14, 2013, Mr. Barnes failed to report to Merit Resource Service for a random drug test. On February 15, 2013, Mr. Barnes was directed to report to the probation office and submit a drug test. The test returned presumptive positive for amphetamines. Mr. Barnes was given the opportunity to be truthful about his illegal drug use. Mr. Barnes denied using any illegal drugs. On February 26, 2013, the test was confirmed positive for amphetamine and methamphetamine by Alere Toxicology Services, Incorporated.

- 4 **Standard Condition # 5:** The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training or other acceptable reasons.

Supporting Evidence: Mr. Barnes has failed to be gainfully employed as of February 26, 2013.

Mr. Barnes reported he has been unemployed for the past 4 months, however, indicated he earned \$1,200 for the month of January 2013.

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The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

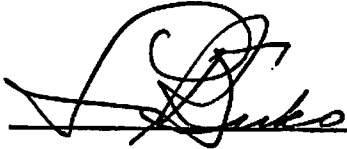
Executed on: 02/27/2013

s/Jose Zepeda

Jose Zepeda
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other


Signature of Judicial Officer

3/1/13
Date